

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

)
IN RE: NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION) MDL No.: 1:13-md-2419-FDS
)
This Document Relates to:)
All Cases)
)

**UNOPPOSED MOTION FOR LEAVE TO FILE RESPONSE TO GENTRY LOCKE
PLAINTIFFS' MOTION FOR MANDATORY ABSTENTION AND IN FURTHER
SUPPORT OF TRUSTEE'S MOTION TO TRANSFER ALL RELATED ACTIONS TO
THE DISTRICT OF MASSACHUSETTS IN EXCESS OF TWENTY PAGES**

Paul D. Moore, the Chapter 11 Trustee for the Estate of New England Compounding Pharmacy, Inc., hereby requests leave to file a Response to the Gentry Locke Plaintiffs' motion for mandatory abstention and in further support of the Trustee's Motion to Transfer all related actions to the District of Massachusetts, in excess of the twenty (20) page limit, by approximately five (5) to ten (10) pages.

In support of this motion, the Trustee states that the 27 (twenty-seven) page memorandum of the Gentry Locke plaintiffs raise a number of issues of law, which could not be fully addressed within the twenty (20) page limit set forth in Local Rule 7.1(B)(4). The additional five (5) to ten (10) pages are necessary to present a complete argument in response to plaintiffs' motion. This motion is consistent with the interests of fairness and justice given the extraordinary relief sought in the plaintiffs' motion.

WHEREFORE, the Trustee respectfully requests leave from the Court to file a Response in excess of twenty (20) pages.

Respectfully Submitted,

Dated: May 1, 2013

HARRIS BEACH PLLC

By: /s/ Frederick H. Fern
Frederick H. Fern

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Proposed Counsel for Paul D. Moore,
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Compounding Pharmacy, Inc. d/b/a New
England Compounding Center

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

In accordance with Local Rule 7.19(a)(2), I hereby certify that I conferred with counsel for the plaintiffs regarding the foregoing motion, who advised that the plaintiffs will not oppose this motion.

/s/Frederick H. Fern
Frederick H. Fern

CERTIFICATE OF SERVICE

I, Frederick H. Fern, hereby certify that on the 1st day of May, 2013, the documents filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/Frederick H. Fern
Frederick H. Fern